

OCT 9 2001

CAU 1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daryl J. Orris, et al. Examiner: C. Sherrer
Serial No. 09/850,153 Group Art Unit: 1761
Continuation of 09/237,282
Filed: May 8, 2001 Docket No. 1003.001US2
Title: STABILIZATION PROCESS FOR COMBINING ETHYL ALCOHOL AND
ICE CREAM

Assistant Commissioner for Patents
Washington, D.C. 20231

The following documents are being submitted:

- ☒ Information Disclosure Statement (2 pages)
- ☒ Form 1449
- ☒ Copies of 5 references
- ☒ Transmittal Sheet
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers if an additional extension of time is deemed necessary by the Office. Authorization is hereby given to charge Deposit Account Number 50-1391 if such additional extension is necessary.

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205, 3209 W. 76th St.
Edina, MN 55402 (952-832-9090)

By: [Signature]
Atty: Mark A. Litman
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on _____.

Mark A. Litman
Name

[Signature]
Signature

#4

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b) or (c)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant(s) respectfully submit(s) the items of information on the enclosed Form 1449 for the attention of the Examiner in the above-identified application.

This statement should be considered because it is either filed before the mailing date of the first Office Action on the merits or it is submitted after the mailing date of the first Office Action on the merits but before the mailing date of a final Office Action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. No fee is due since this statement is submitted either before the mailing date of the first Office Action on the merits or is certified under 37 C.F.R. §1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(c)(1), the undersigned hereby certifies that this statement is submitted wherein each item of information listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counter part foreign application not more than three months prior to the filing of the information disclosure statement.

A copy of each document or other information listed on the enclosed Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2) and/or a copy of each document is

not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in a parent application in accordance with 37 C.F.R. §.1.98(d).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103. In addition, Applicant(s) do(es) not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended, and reserve the right to establish otherwise under 37 C.F.R. §1.131 or others.

Consideration of the items listed is respectfully requested. According to M.P.E.P. §609, Applicant(s) request(s) that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1391.

Respectfully submitted,

DARYL J. ORRIS, et al.

By Their Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.
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3209 West 76th Street
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Date: 11/12/01

By: Mark A. Litman
Mark A. Litman
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Letter is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 11/12/01

Mark A. Litman
Name

Mark A. Litman
Signature

INFORMATION DISCLOSURE STATEMENT
PTO Form 1449

Docket Number
1003.011US2

Serial Number
09/850,153

Applicant(s)
Daryl J. Orris, et al.

Filing Date
May 8, 2001

Group Art Unit
1761

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS

	A. Frazeur, Ice Cream with Spirit, AURI Ag Innovation News, July 1997, Vol.6, No.3.

Examiner:

Date Considered: